

RECEIVED  
CENTRAL FAX CENTER  
FEB 15 2006

MYERS BIGEL SIBLEY & SAJOVEC  
Patent Attorneys  
4140 Parklake Avenue, Suite 600, Raleigh, NC 27612  
P.O. Box 37428, Raleigh, NC 27627  
919-854-1400  
Facsimile 919-854-1401

TELECOPIER TRANSMISSION  
COVER SHEET

Date: February 15, 2006

File Number: 5470-250DV

Telecopier No.: 571-273-8300

To: Mail Stop AF  
Examiner Shengjun Wang  
U.S. Patent and Trademark Office

From: Shawna Cannon Lemon

Number of Pages: 3

Return fax to: sef

If there is a problem with this transmission, please call (919) 854-1400. Our fax number is (919) 854-1401.

Re: Boucher, Jr., Compounds and Methods for the Treatment of Airway Diseases and for the Delivery of Airway Drugs  
Serial No. 10/087,355, Filed March 1, 2002

Regarding the above-identified application, attached is a Petition and Fee for Extension of Time filed in response to the final Office Action dated August 16, 2005.

CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office via facsimile number 571-273-8300 on February 15, 2006.

Susan E. Freedman  
Susan E. Freedman  
Date of Signature: February 15, 2006

Confidentiality Note

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address above via the United States Postal Service. THANK YOU.

**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1617**

Attorney Docket No. 5470-250DV

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Boucher, Jr.  
 Serial No.: 10/087,355  
 Filed: March 1, 2002  
 For: *COMPOUNDS AND METHODS FOR THE TREATMENT OF  
AIRWAY DISEASES AND FOR THE DELIVERY OF AIRWAY DRUGS*

**RECEIVED  
CENTRAL FAX CENTER  
FEB 15 2006**

February 15, 2006

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**PETITION AND FEE FOR EXTENSION OF TIME  
(37 C.F.R. § 1.136(a))**

1. This is a petition for an extension of time for a total period of three (3) months to respond to the Official Action dated August 16, 2005.
2. A response in connection with the matter for which this extension is requested:

is filed herewith.

has been filed, in the form of a continuation application.

## 3. Applicant:

Claims small entity status. See 37 CFR 1.27.

Does not claim small entity status.

## 4. Calculation of extension fee (37 C.F.R. § 1.17(a)-(d)):

Total Months <u>Requested</u>	Fee For Other <u>Than Small Entity</u>	Fee for <u>Small Entity</u>
<input type="checkbox"/> one month	\$120.00	\$60.00
<input type="checkbox"/> two months	\$450.00	\$225.00
<input checked="" type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00
<input type="checkbox"/> five months	\$2,160.00	\$1,080.00

Fee Due \$1,020.00

02/16/2006 MBINAS 00000041 500220 10087355  
 01 FC:1253 1020.00 DA

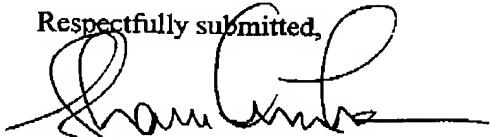
In re: Boucher, Jr.  
Serial No.: 10/087,355  
Filed: March 1, 2002  
Page 2

A check in the amount of the fee is enclosed.

Payment by credit card (Form PTO-2038) is enclosed.

Charge Deposit Account No. 50-0220 for this and any additional extension and/or fee required or credit for any excess fee paid.

Respectfully submitted,



Shawna Cannon Lemon  
Registration No. 53,888

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer Number 20792

**CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office via facsimile number 571-273-8300 on February 15, 2006.

  
Susan E. Freedman  
Date of Signature: February 15, 2006